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9 **UNITED STATES BANKRUPTCY COURT**

10 **DISTRICT OF ARIZONA**

11 RACHAEL EARL, AN
12 INDIVIDUAL,

13 Plaintiff,

14 v.

15 US BANK NATIONAL
16 ASSOCIATION AS TRUSTEE
17 FOR GSAA 2007-9 BY ITS
18 ATTORNEY IN FACT WELLS
19 FARGO BANK N.A., SUCCESSOR
20 BY MERGER TO WELLS FARGO
21 HOME MORTGAGE INC.

22 DOES 1-10,000

23 Defendants.

) **CASE NO. 2:10-ap-2243-SSC**

) **AP NO: 2:10-ap-02243-SSC**

) **CHAPTER 13**

) **PLAINTIFF'S MOTION FOR
REHEARING**

1 Plaintiff, Rachael Earl, hereby requests this honorable Court for a rehearing on
2 Defendants' Motion to Dismiss Plaintiff's Adversary Proceeding. Plaintiff was scheduled
3 for three hearings before the Court on March 9, 2011. The Court vacated one of the hearings
4 on that date, and due to a clerical error, Plaintiff's counsel's office vacated the wrong hearing
5 from the Calendar, causing Plaintiff and her Counsel to miss the hearing. Plaintiff and
6 Counsel appeared for both of the other scheduled hearings, which were later in the day.
7

8 WHEREFORE, Plaintiff respectfully requests the Court to grant Plaintiff the ability to
9 orally argue her case in a rehearing, or in the alternative, to allow Plaintiff to file a written
10 response to Defendant's reply and oral argument. Plaintiff also respectfully requests the
11 Court to deny Defendants' Motion to Dismiss, or in the alternative, to dismiss without
12 prejudice and allow Plaintiff the ability to amend her complaint.
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17 DATED: April 26, 2011
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19 Law Offices of Kevin Jensen
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21 By: /s/ Kevin Jensen
22 Kevin Jensen
23 Attorney for Plaintiff
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1 **ORIGINAL** of the foregoing filed
2 This 26th day of April, 2011, with:

3 **U.S. BANKRUPTCY COURT**
4 **DISTRICT OF ARIZONA**

5 230 North First Ave., Suite 101
6 Phoenix, Arizona 85003-1727

7 **COPY** of the foregoing mailed/faxed
8 This 26th day of April, 2011 to:

9 Andrew Hardenbrook
10 Snell & Wilmer, LLP
11 400 E. Van Buren, #1900
12 Phoenix, Arizona 85004-2202
13 *Attorneys for Defendants*

14 Russell Brown
15 3838 N. Central Ave., Suite 800
16 Phoenix, Arizona 85012
17 *Chapter 13 Trustee*

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/s/ Lisa Orr